

Constitutional Rules or By-Laws,

OF THE

III

INCORPORATED

BAPTIST CHURCH,

IN

CHARLESTON.



*Ut scias quomodo oporteat in domo Dei conversari.*—Tim. Epis  
Prim. Cap. 3. 15.

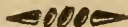


Revised and amended, and confirmed as amended, April 2, 1824.



TO WHICH IS PREFIXED,

THE ACT OF INCORPORATION OF SAID CHURCH.



Charleston, S. C.

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1824.

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## AN ACT

For incorporating divers Religious Societies therein named.

WHEREAS, by the Constitution of this State, passed the nineteenth day of March, one thousand seven hundred and seventy-eight, it was declared that all Denominations of Christian Protestants should enjoy equal religious and civil privileges, and that whenever fifteen or more male persons, not under twenty-one years of age, professing the Christian Protestant Religion, and agreeing to unite themselves in a Society for the purposes of religious worship, they should, on complying with the terms thereafter mentioned, be constituted a Church, and be esteemed and regarded in law as of the Established Religion of the State, and on a petition to the Legislature should be entitled to be incorporated and to enjoy equal privileges. And whereas the Baptist Church in Charleston, whereof the Reverend Oliver Hart is now pastor, have (with other Societies) petitioned the Legislature of this State praying to be incorporated, and asserting that they have complied with the terms required by the Constitution as preparatory thereto, and the allegations in the said petitions appearing to be true,

Preamble?

Enacted.

*Be it therefore enacted by His Excellency Rawlins Lowndes, Esq. President and Commander in Chief in and over the State of South-Carolina, by the Honorable the Legislative Council and General Assembly of the said State, and by the authority of the same,*

That the Baptist Church (with other societies) be a body corporate.

That the several and respective Societies above mentioned, and the several persons who now are or shall hereafter be Members thereof respectively, and the successors, officers and members, each of them, shall be and they are hereby declared to be severally one Body Corporate and Politic in deed and in name, by the name and style of the Baptist Church in Charleston, and by the said name shall each have perpetual succession of Officers and Members, and a Common Seal, with power to change, alter, break, and make new the same as often as they the said Corporations shall severally judge expedient; and each of the said Corporations and their several successors shall be able and capable in law to purchase, have, hold, receive, enjoy, possess, and retain to them severally, and their successors in perpetuity, or for any term of years, any estate or estates, lands, tenements or hereditaments, of what kind or nature

And be empowered to hold lands and other property,

And make laws for their government not repugnant and contrary to the laws of the land

soever, and to sell, alien, exchange, demise, or lease the same, or any part thereof, as they shall think proper, and by each of their said names to sue and be sued, implead and be impleaded, answer and be answered unto in any Court of Law or Equity in this State,

and to make such rules and by-laws (not repugnant and contrary to the Laws of the Land) for the benefit and advantage of the said Corporations, severally, and for the order, rule, good government, and management of each Corporation, and for the election of Ministers, and their maintenance out of any funds belonging to such respective Societies for erecting and reparation of Churches by each Corporation out of any such funds, and ascertaining the rents which shall be paid by Pew-holders in such manner as shall be from time to time agreed upon by a majority of the members of each respective Society.

*And be it further enacted by the authority aforesaid,* That it shall and may be lawful for each Corporation hereby created, severally to take and to hold to them and to their successors forever, any charitable donations or devises of lands and personal estate, and to appropriate the same for the benefit of each Corporation in such manner as may be determined by a majority of the Members thereof, and to appoint, and choose, and to displace, remove and supply such Ministers, Officers, Servants, and other persons to be employed in the affairs of each Corporation, and to appoint such salaries, perquisites or other awards for their labour or services therein as each Corporation shall from time to time approve of and think fit.

Further enacted.  
May hold donations of estate real or personal.

*And be it further enacted by the authority aforesaid,* That each Corporation as afore-



May hold any property of which at present possessed. said shall be, and each of them are hereby declared able and capable in law to have, hold, and receive, enjoy, possess, and retain all such other estates, real and personal, money, goods, chattels, and effects which they now possess and are entitled unto, or which have been already given, devised or bequeathed to either of them, by whatever name such devise or bequest may have been made.

To be esteemed a public act.

*And be it further enacted by the authority aforesaid,* That this Act shall be deemed and taken as a Public Act, and notice shall be taken thereof in all Courts of Justice and elsewhere in this State, and shall be given in evidence on the trial of any issue or cause without special pleading.

*In the Council Chamber the ninth day of Oct. 1778.*

ASSENTED TO,

RAW. LOWNDES.

HUGH RUTLEDGE,

*Speaker of the Legislative Council.*

THOMAS BEE, *Speaker of the General Assembly.*

## CONSTITUTIONAL RULES.



As it is necessary that all societies or Preamble. combinations of men for laudable purposes, should be regulated by certain fixed rules and principles, so it is proper those rules should be made public both for the benefit of their own members and the information and satisfaction of all concerned. The rules for governing the church of God are contained in the holy Scriptures of Truth, and as far as they concern the essential and most important interests of that holy Society they are full and particular. To these no man may add, nor from them diminish. But a number of duties and transactions which relate to its temporal and outward concerns appear to be comprehended in general directions, particularly in that "Let all things be done decently and in order." In the application of this general rule sundry explanations, and mutual agreements among the members of the Christian Church are necessary.

The Incorporated Baptist Church in Charleston, impressed with these considerations, have agreed to the following rules and regulations to be observed by them.

#### RULE I.

Style. The Style of this Church shall be "*The Incorporated Baptist Church in Charleston.*"

#### RULE II.

Church to consist of members of the church and members of the corporation. This church shall consist of such persons as are regularly admitted members according to the principles contained in the confession of faith and system of discipline adhered to by the Charleston Association, and of those who associate with them for the purposes of religious worship, in the manner hereinafter to be described. The exercise of discipline as it respects the admission and dismissal of members ; the infliction or removal of censures, and the calling to office, except as hereafter limited, together with whatever may be properly defined the purely spiritual concerns of the church, shall be conducted exclusively by those who are regular male members of full age, and communicants at the Lord's Table. The other concerns of the church shall be decided by the united voice of the members and supporters, regu-



larly convened as a corporate Body; and these different classes shall be distinguished by the respective denominations of members of the church and members of the corporation.

### RULE III.

The independency, and congregational form of government shall be inviolably preserved in this church. But its friendly correspondence and union with its sister churches in association shall be kept up on principles of reciprocal advantage and christian love: and on these principles respect will be paid to their advice, and reasonable contributions made to the interests of the union.

The congregational form of government shall be preserved.

### RULE IV.

Any person disposed to become a member of this church (unless already baptized and recommended by letter) must make known his intention to the pastor thereof, and being introduced to the church, privately convened for that purpose, must relate either verbally or in writing the reason of his hope, and give such answers to questions respecting his christian knowledge, repentance and faith as may afford consistent and rational evidence of a gracious state. After which satisfac-

Who shall be members of the church.

tion being obtained, he shall be baptized, publicly received into the church, admitted to the Lord's table, and be entitled to all the rights and privileges of a member, consistent with his station.

#### RULE V.

Who shall  
be mem-  
bers of the  
corpora-  
tion.

Every male white person, of the age of twenty-one years and upwards, who shall sign these rules, hold a pew or part of a pew, for which he pays forty shillings sterling, yearly rent, at least—the half thereof being paid, shall, after six months possession, be considered a member of the corporation. Likewise, any other male person as aforesaid, who regularly pays to the support of the church a yearly sum, not less than forty shillings sterling, and statedly attends religious worship therein, though not the holder of a pew, shall be admitted on a like probation.

Who shall  
be mem-  
bers of the  
congrega-  
tion and  
what privi-  
leges they  
shall be  
entitled to.

The families of the persons above described, together with all other holders of pews, and their families statedly attending on public worship, and the poor who give like attendance, shall be considered as belonging to the congregation, be entitled to the care of the pastor in his private minis-

trations, and to interment in the burial ground: yet it is always to be understood, that the privileges herein allowed to the families of members of the corporation, and of pew-holders, are not to be extended to sons after they have arrived at full age, nor to daughters after marriage, unless they make the regular contribution to the support of the church, or become members of the congregation in the manner specified in the former part of this rule.

#### RULE VI.

There shall be a pastor, and not less than two deacons to conduct the spiritual concerns of the church, according to the example of scripture; a clerk to lead the psalms, and a sexton for the service of funerals. The pastor shall always be of the Baptist denomination, of orthodox principles according to the confession of faith, and of an unblameable character and deportment: such also, must be the deacons; and officers of every description in the church must be of a good moral character.

There shall be a pastor, two deacons, a clerk, and sexton.

#### RULE VII.

The church, as a corporation, shall have a President, Treasurer, two Wardens, and a

Corporation shall have a

president, Secretary, for conducting its congregational  
 treasurer, concerns, who shall continue in office one  
 two war- year or till a new election takes place.  
 dens, and a  
 secretary.

Duties of The president shall preside in all meetings  
 of president, of the corporation, and with the secretary  
 manage and declare all elections, and sign  
 and affix the seal to all instruments of writ-  
 ing passed by the authority of the church.

of treasurer- The treasurer shall receive and keep in his  
 er, possession all bonds, other specialties and  
 monies belonging to the church ; which he  
 is to dispose of as the church shall direct.  
 And for the due and faithful discharge of the  
 duties of his office he shall give bond to the  
 church in the sum of double the amount of  
 all the specialties he shall have in his hands,  
 which bond shall be kept by the president.

of war- The wardens are to let out the pews and  
 dens, collect the rents ; to take care of and keep  
 in repair the place or places of worship,  
 together with any other houses or tenements  
 which may be the property of the church,  
 and rent or dispose of them according to  
 their direction, and pay all monies received  
 by them into the hands of the treasurer,  
 excepting charitable collections, which shall  
 be received by the deacons. They shall also  
 have charge of the burial ground, and in



disputed cases determine who are to be admitted to interment.

The secretary shall keep a fair and regular account, in a book, of all the transactions of the corporation, which shall be produced at the meetings for business : he shall also keep a fair list of the names of members, the time of their admission and dismissal, together with a register of births, deaths, baptisms and marriages.

#### RULE VIII.

All decisions of the church, either in its spiritual or temporal concerns, shall be by majority of voices ; but in the admission or dismissal of a pastor, or in the employment of a minister for a definite period, or in the disposing of more than one year's interest or income of the church property, it shall be understood of a majority of the whole number entitled to vote in the congregation, and that a majority of the communicants shall be included in that number.

What majorities requisite to decisions of the church, either in spiritual or temporal concerns.

#### RULE IX.

The appointment or installation of a pastor shall be understood to be during good behaviour, unless a limited time is specified by agreement ; but even then, a departure

For what time Pastor shall be appointed, and how proceed on



charges  
for his de-  
privation.

from a regular and becoming conduct shall forfeit the right of continuance. And in case of any charge exhibited for his deprivation, and of disputes arising respecting the fact, it shall be referred to the consideration of three ministers and two private members, chosen out of neighbouring churches in union, who shall give their opinion on the subject previous to the final decision of the church. The choice of persons in this case to be made in the following manner: each party shall choose a minister and member, and the persons so chosen shall elect the other.

#### RULE X.

Private  
ministrations  
of  
the Pastor.

It will be expected that the pastor shall employ his private ministrations in visiting and conversation among the persons and families belonging to the congregation, and that he may use a freedom in conversing with them respecting their religious interests consistent with the prudence and dignity of the ministerial character. It will also be expected that he shall visit them in time of sickness and distress, but it shall never be presumed he is under obligation so to do, or chargeable with neglect unless requested or particularly informed of the case.

## RULE XI.

The deacons shall be considered as assistants in the communion service; as having charge of the helpless poor, and of all business wherein the church's charity is concerned. The clerk shall be entitled to a reasonable compensation for his services and (with the minister and sexton) to such fees for his attendance at funerals, as the corporation shall from time to time appoint, which last he is authorized to collect. His salary shall be paid by the treasurer.

Duties of  
Deacons.

Clerk en-  
titled to  
such fees  
as may be  
appointed.

## RULE XII.

In cases of vacancy, or when the pastor is absent and the church has not made provision, admission into the pulpit or the business of obtaining occasional supplies, shall be entrusted to the care of the president, deacons and wardens, or a majority of them.

Who shall  
procure  
occasional  
supplies to  
the pulpit  
in case of  
absence or  
vacancy.

## RULE XIII.

The pews shall be held by the following tenure, and no other: That is to say, the persons to whom they shall be severally allotted, shall continue to pay such annual rent as shall be from time to time assessed on them, by a majority of the corporation at the annual meetings, in quarterly payments,

Tenure &  
conditions  
on which  
pews shall  
be held.

one payment to be in advance. No person who is in arrears for pew rent for one whole year shall be capable of voting in any meeting of the corporation, and a failure therein for three months longer shall be deemed to incur a forfeiture of the pew. Any person giving up a pew without giving a quarter's notice, or providing an approved person to take it, or in case of forfeiture as above, shall be liable to pay an additional quarter's rent.

#### RULE XIV.

How pews  
shall be al-  
lotted.

The assignation or allotment of pews, as well in the first instance as in cases of occasional vacancy by death, surrender, or default, shall be finally and ultimately vested in a majority of the church; but in ordinary cases, where no disputes arise, the power shall lie with the wardens; a preference being always given to the nearest relations of the persons deceased or removing.

#### RULE XV.

Time and  
business of  
the annual  
meeting.

There shall be a general or annual meeting of the church for the transaction of business on the first Wednesday in April in every year, at 3 o'clock in the afternoon, when a sermon shall be preached, and immediately

after it the members of the corporation shall proceed to business, and a president, treasurer, wardens, and secretary for the ensuing year shall be elected by ballot; and the treasurer, wardens and secretary for the last year shall produce a regular statement of the business in their several departments, shewing the present state of the church, which statements shall have been previously examined by the president and deacons at least a day before the annual meeting commences. In case any of the above mentioned officers by death, resignation or otherwise, shall vacate his office before the expiration of his term, another may be elected in his place at any meeting of the corporation regularly convened, who shall continue to serve till the next succeeding annual meeting. Not less than ten members shall be a Number necessary to a quorum. quorum, or capable of business at the annual, nor less than seven at an extra meeting.

#### RULE XVI.

The president, with the consent of the pastor and deacons, or at the request of Extra meetings when and by whom they shall be called. seven members of the corporation, or in his absence, the pastor, wardens, or deacons, or any one of them at the request of seven members of the corporation, shall be em-



powered to call an extra meeting. Such meeting shall be published from the pulpit immediately after divine service on the Lord's day morning, or if during a suspension of divine service in the church, by written summons to each member of the corporation residing in the city, to be left at his usual place of abode ; which notice shall be given at least three days before the meeting takes place. In case of the absence of the president or secretary from any meeting, a president or secretary pro tempore for that meeting shall be elected.

#### RULE XVII.

No business to be introduced without motion, & how constitutional rules may be altered.

No business shall be introduced into the church at any time but by motion made and seconded, addressed to the president ; nor shall any alteration or amendment be made to the eighth rule, except by the majority of the whole number entitled to vote as therein described, nor to any other of these rules except by a majority of two thirds of the corporation.

Ratified by the general voice of the church this twenty-first day of August, one thousand seven hundred and ninety-one, and ordered to be signed.





